

U.S BANKRUPTCY COURT
District of South Carolina

Case Number: 12-07024-JW

ORDER TERMINATING AUTOMATIC STAY

The relief set forth on the following pages, for a total of 2 pages, including this page, is hereby ORDERED.

FILED BY THE COURT
08/28/2013



John Eubates

US Bankruptcy Judge
District of South Carolina

Entered: 08/29/2013

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:) Bankruptcy Case No. 12-07024-JW
) Chapter 13
Karen R. Huggins)
) **ORDER**
)
Debtor.)
)

This matter came before me upon the request of Vanderbilt Mortgage and Finance, Inc. ("Vanderbilt"), for an Order terminating the automatic stay pursuant to 11 U.S.C. Section 362(d) as the Debtor has defaulted on the terms of the Order entered by this Court on July 8, 2013. The Order resolved the Motion for Relief from Stay or for Adequate Protection filed by Vanderbilt by allowing the Debtor to retain the collateral under lien to Vanderbilt provided that the Debtor complied with the terms of the Order. The Order further provided that in the event of a default by the Debtor, upon the filing of an Affidavit of Non-Compliance with the Court, the automatic stay pursuant to 11 U.S.C. §362(d) would be terminated to allow Vanderbilt to enforce its security interest and state law rights in the collateral securing its claim. The Debtor has defaulted on the terms of the Order in that the regular payment and cure payment due August 1, 2013, were not made in compliance with the Order and, as such, is in default of such order. Accordingly, on the request of Vanderbilt,

IT IS ORDERED that the automatic stay, pursuant to 11 U.S.C. Section 362(d) is terminated, thereby allowing Vanderbilt to enforce its security interest and state law rights in the collateral securing its claim, including the repossession and liquidation of same and/or contacting the Debtor to determine the intentions with respect to the collateral, specifically one 2003 Schult mobile home, VIN H1GA20K04527AB. Based upon the Debtor's prior agreement or failure to object to the movant's request regarding the Fed. R. Bankr. P. 4001(a)(3) stay, this order is effective immediately. Vanderbilt agrees to waive any claim that may arise under 11 U.S.C. §503(b) or §507(b) that may result following the entry of an Order in this matter, and Vanderbilt further agrees that any funds realized in excess of its debt will be paid to the Trustee.